

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

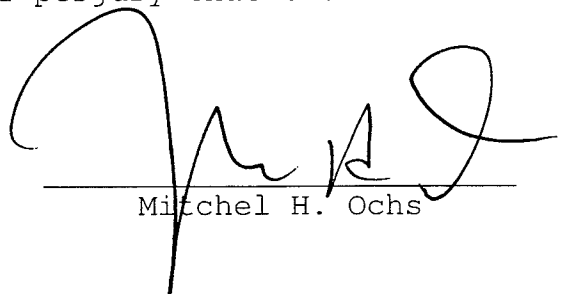
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:  
A.J. WHITE,  
:  
Plaintiff, Civil Action No.:  
:  
-against- 07 Civ 8006 (DAB)  
:  
CANTOR FITZGERALD, L.P., BGC  
:  
PARTNERS, L.P., BGC CAPITAL  
:  
MARKETS, L.P., DANIEL M.  
:  
LaVECCHIA, and KEVIN McNULTY,  
:  
Defendants. (Filed Electronically)  
:  
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MITCHEL H. OCHS, pursuant to 28 U.S.C. § 1746,  
hereby declares under penalty of perjury as follows:

1. I am admitted to the Bar of this Court, and  
I am a member of the law firm of Anderson & Ochs LLP,  
attorneys for Plaintiff. I respectfully submit this  
declaration in opposition to Defendants' motion to dismiss  
this action in favor of arbitration.

2. Annexed hereto as Exhibit A, is a true and  
correct copy of the Complaint filed on behalf of Plaintiff,  
with attached exhibits.

I declare under penalty of perjury that the  
foregoing is true and correct.

  
\_\_\_\_\_  
Mitchel H. Ochs

Dated: October 23, 2007